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RE: Support of House Bill 1826, Pennsylvania Clean Slate Expansion

August 29, 2022

Chairman Rob Kauffman, Democratic Chair Tim Briggs, and Members of the Pennsylvania House Judiciary Committee,

On behalf of the [Clean Slate Initiative](#), a national bipartisan coalition dedicated to advancing policies that automatically clear arrest and conviction records across the country, and as a Pennsylvania resident, I am pleased to submit this testimony in support of [House Bill 1826](#) which would expand Pennsylvania's Clean Slate law, and urge all members of the House Judiciary Committee to vote 'yes' on this important measure.

Automatic record clearance reforms like HB 1826 offer meaningful opportunity for people who have made a mistake in the past but have long since completed their sentences and remained crime-free. HB 1826 would make some drug felonies eligible for automated sealing; make several other lower-level property felonies eligible for sealing by petition; and shorten waiting periods for sealing misdemeanor and summary convictions.

In Pennsylvania, millions of people experience the far-reaching ramifications of an old arrest or conviction record.<sup>1</sup> When it comes to securing jobs, people with records are half as likely as other job seekers to receive an employer callback. The challenges associated with "employability" trickle to every part of a person's life, and can place specific strain on families. A 2016 study found employment rates 1.0 percentage point lower as a result of the employment penalty faced by formerly incarcerated people and people with felony convictions.<sup>2</sup>

Expanding Pennsylvania's Clean Slate law will ensure that more people who have served their time and remained crime free have their records cleared and become productive members of society. Research shows that clearing records *promotes* public safety by increasing access to housing, employment and educational opportunities that support re-integration and stability. Empirical data demonstrates that five years after benefitting from record clearance, individuals were *less* likely than members of the general public to commit a crime.<sup>3</sup>

In 2018, Pennsylvania made history by enacting the first-ever automatic record sealing law. Since then, Clean Slate reforms have passed in Utah, Michigan, Connecticut, Delaware, Oklahoma, and Colorado – many of which have provided for automatic sealing of felony records and included shorter waiting periods for petty offenses, misdemeanors and some felonies. Additional efforts Clean Slate efforts are active in states across the country including Texas, Oregon, Missouri, New York, Kentucky and Massachusetts. By passing HB 1826, Pennsylvania has the opportunity to build upon the success of the 2018 Clean Slate law, promote public safety, bolster the workforce, and foster family values.

The Clean Slate Initiative strongly encourages all members of the Judiciary Committee, to vote "yes" on HB 1826 and continue advancing meaningful second chances.

Sincerely,  
Erin George

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<sup>1</sup> <https://mycleanslatepa.com>

<sup>2</sup> <https://cepr.net/images/stories/reports/employment-prisoners-felonies-2016-06.pdf>

<sup>3</sup> J.J. Prescott and Sonja B. Starr, *Expungement of Criminal Convictions: an Empirical Study*, Harvard Law Review (forthcoming), at 35-36 (noting recidivism rates of Michigan set-aside recipients are "lower than those found in most studies of criminal recidivism" and "suggest that set-aside recipients pose a lower crime risk than the general population of Michigan as a whole."); see also Alfred Blumstein and Kiminori Nakamura, *Redemption in an Era of Widespread Criminal Background Checks*, National Institute of Justice Journal, Issue No. 263, 11 (September 2009) (noting most people desist from crime after 3 years of remaining crime free).